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By Emelie Rutherford

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The House's lead defense budget writer unveiled a \$508 billion Pentagon spending proposal yesterday that funds two aircraft efforts the White House has dubbed veto bait along with programs for cargo aircraft and presidential helicopters the Obama administration wants to end.

The House Appropriations Defense subcommittee (HAC-D) marked up its fiscal year 2010 defense appropriations bill yesterday, calling for adding to the Pentagon's budget request \$369 in advance-procurement funds for 12 future Lockheed Martin [LMT] F-22 fighter jets and \$560 million to continue the General Electric [GE]-Rolls-Royce second-engine program for the F-35 Joint Strike Fighter.

President Obama said he would veto other legislation that calls for buying more F-22s, which the Pentagon wants to stop procuring at 187 jets, and the White House has suggested a bill funding the F-35 engine effort the Pentagon does not want also could spur a veto.

"The president may disagree with some of the things that we have done," HAC-D Chairman John Murtha (D-Pa.) told reporters at the Capitol.

The powerful lawmaker said he hopes Congress and the administration will come to a resolution over the defense appropriations bill without a veto.

"We want to work with them, we want them to digest what we're saying, think about what we're saying," Murtha said.

He acknowledged Obama "has been pretty adamant" about not wanting Congress to compel the Pentagon to buy more F-22s, a matter over which the president specifically said he would veto the defense authorization bill before the Senate.

"I don't think he'd change his mind," Murtha said.
"So I'm not sure what will happen in the end."

He expressed hope the administration will allow the \$369 million in advance-procurement F-22 monies, because they are for covering parts and subcontractors, not actually procuring aircraft.

Still, he said he does not know if he can negotiate for F-22 funds with the administration. He also acknowledged the F-22 monies could be removed from the bill during House floor debate, and predicted there may not be enough votes in Congress to override a veto from Obama.

The HAC-D's proposal, which the full House Appropriations Committee (HAC) is slated to mark up next Wednesday, also adds to the Pentagon's budget request of \$485 million to operationalize five to seven of the VH-71 presidential helicopters from the canceled program and \$674 million to buy three more C-17 cargo aircraft, which the Pentagon wants to stop buying from Boeing.

Murtha bemoaned that Congress in recent years has had to add C-17 funds to the Pentagon's budget. "We just thought it was absolutely necessary," to add the C-17 monies again this year, he said, adding he assumes Defense Secretary Robert Gates "won't have an objection to the C-17s."

The HAC-D chairman said he wants to make the investment in the VH-71 program to make use of some of the \$3.2 billion already spent to develop helicopters. The Navy officially terminated the Lockheed Martin-AgustaWestland-Bell Helicopter Textron VH-71 effort on June 1.

"We're trying to get at least get a few helicopters out of this thing that can be used for the president; he's got to have new helicopters," Murtha said. "This is one that I think...the White House may back down on."

The HAC-D bill also calls for boosting funding over the Pentagon's request for an array of additional aircraft, ship, and vehicle programs. Yet Murtha said he relented and did not include a mandate he has pushed for calling on the Pentagon to buy two aerial refueling tankers from both competitors, Boeing and a Northrop Grumman-European Aeronautic Defence and Space Co. (EADS) team.

Murtha told reporters Pentagon officials "rejected" his dual-buy proposal. "I'll leave it up to them," he said about the forthcoming tanker competition.

Still, he said he is pushing for the Pentagon to build three tankers a month, from either one of the competitors or a combination of the two.

"If you go three a month you're going to not have to reskin (the existing ones)...you're going to get all kinds of savings because of the fuel savings that you have with a new tanker, and in the end you have tankers for 10 years," he said. "I think the Defense Department is going to come around on that issue."

He said the tanker effort was the program he was "most interested in," because they are so old.

The subcommittee's bill, meanwhile, calls for adding to the administration's request for Boeing's F/A-18E/F Super Hornet aircraft (funding 18 instead of the nine requested, along with an addition of \$108 million for a future multi-year contract), General Dynamics' Stryker vehicles (including \$614 million, an increase of \$225 million), and Northrop Grumman's E-2D Hawkeye aircraft (funding three instead of two).

The bill would fund 10 Navy ships, two more than the eight the administration requested. It proposes buying four Littoral Combat Ships instead of the three in the Pentagon's proposal, and funding two Joint High Speed Vessels instead of the one the administration requested.

"I think that's about the right amount that stabilizes the shipbuilding program," Murtha said of the \$15 billion his panel has set aside for shipbuilding.

Overall, the subcommittee is recommending a \$508 billion base FY '10 defense budget and \$128.3 billion in separate war funding. This combined \$636.3 billion in funding is \$3.8 billion below what the White House requested.

Much of the savings came from cutting requested funding for weapon-systems lagging behind in execution and for operations and maintenance accounts that are underexecuting, a HAC-D staffer said.

The subcommittee's proposed reductions to the administration's request include a \$532 million cut for F-35 procurement (which includes a cut in the vertical-lift aircraft), \$211 million less in contract-termination costs for the restructured Future Combat System Army modernization program, a \$193 million cut to the Family of Medium Tactical Vehicles effort, a \$26 million drop for the Family of Heavy Tactical Vehicles program.

The bill also, according to Murtha and staffers:

- makes some slight adjustments to the administration's

missile defense request, including adding \$80 million for the Kinetic Energy Interceptor to keep alive the program, which the administration wants to end, until a forthcoming Pentagon review is complete.

- cuts by \$50 million the Marine Corps' Expeditionary Fighting Vehicle program, on which Murtha said he is keeping a close eye in part because he does not like its flat-bottom design.

- continues to fund the V-22 Osprey tilt-rotor aircraft, despite a recent House panel's recommendation to halt production.

The HAC-D also approved \$128.3 billion in FY '10 war funding, which the Obama administration requested the same time it submitted its base defense budget request, departing from a Bush administration practice of seeking supplemental war funding throughout the year.

For FY '10 war funding, the HAC-D is calling for cutting the administration's request for Mine Resistant Ambush Protected vehicles by \$1.9 billion, dropping the amount to \$3.6 billion, because of additional supplemental war funding beyond the administration's request that Congress provided for the vehicles in FY '09.

Murtha said he does not expect changes to the subcommittee's proposals during the full HAC markup, considering the committee in the past has left his subcommittee bill largely intact. The House could take up the bill July 30, aides said.

Senate defense appropriators have not yet marked up their version of the FY '10 defense bill.

On the authorization side, the House passed its bill last month and the Senate is currently debating its version.

Both authorization bills include unrequested funds for the F-22 and the F-35 second-engine program, and have spurred veto threats from the administration.

The House authorization bill, like the HAC-D's proposal, has \$369 million in advance-procurement funds for 12 future F-22s. The authorization legislation before the Senate includes \$1.75 billion for buying seven F-22s, though some senators are trying to strip those funds.

The House authorization measure includes \$603 million for the F-35 second engine, slightly more than the \$560 million the HAC-D wants. The bill before the Senate includes \$438.9 million for the F-35 alternate-engine effort.